IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7301 OF 2007

1. Dr. R.G. Todmal and 103 ors.] .. Petitioners

Versus

1. The State of Maharashtra & 4 ors.] .. Respondents

Mr. P.M. Havnur i/b Kunal Cheema for the petitioners.

Mr. P.P. Kakade, AGP, for the respondents.

CORAM: S.B. MHASE &
D.G. KARNIK, JJ.

DATED: 03RD OCTOBER, 2007

P.C. :

1. Heard both sides.

2. By this Petition the petitioners challenge the circular dated 5th March, 2007, issued by the Government. The learned counsel for the petitioners submitted that the representation made by the petitioners regarding the deficiencies in making the pay scales applicable in accordance with the Vth Pay Commission has not been considered.

3. The circular dated 5th March, 2007 notes that after the report of the Vth Pay Commission, the State Government appointed State Wage Correction Committee (Rajya Vetan Sudharana Samitee) and as also Vetan-Truti Ucchya-Star Committee.

4. The reports of the said two Committees were taken into consideration and anomalies of the wage were corrected. The said decisions were taken after giving opportunity to all the bodies who had made representations as also to all individuals who had made representations and they were given personal hearing. The circular further states that even thereafter, some further representations were made by different persons. The State, however, took a policy decision that since the VIth Pay Commission has been appointed by the Central Government, no further representations will be considered till the report of the VIth Pay Commission is received.

5. We see no error in the policy decision taken by the State Government. In our view, the representations made by all the bodies of employees were considered once and whether to consider them for the

second time is a policy decision. The State Government has taken a policy decision to defer the hearing of any further representations till the VIth Pay Commission's report is received. This being a policy decision, it is not open for judicial scrutiny.

6. The Writ Petition is, accordingly, rejected.

Sd/-
[D.G. KARNIK, J.]

Sd/-
[S.B. MHASE, J.]